

## **CITY COUNCIL PROCEEDINGS**

**Tuesday, August 16, 2011**

**EARLY START TIME - 5:00 p.m.**

### **1. CALL TO ORDER AND ROLL CALL**

Mayor Osborne called the regular August 16, 2011 City Council meeting to order at 5:00 p.m. in Council Chambers.

Those present were: Mayor Osborne, Deputy Mayor Wilson and Council Members Ageton, Appelbaum, Becker, Cowles, Gray, Karakehian and Morzel.

### **A. DECLARATION HONORING THE GARMIN-CERVELO RACING TEAM FOR ITS TOUR DE FRANCE TEAM WIN. – 6:48 P.M.**

Mayor Osborne read a declaration honoring Jonathan Vaughters, Founder of the Garmin-Cervelo racing team that won the Tour de France. She declared August 1 – 31 as Official Team Garmin-Cervelo Month.

### **2. OPEN COMMENT and COUNCIL/STAFF RESPONSE – 5:02 p.m.**

1. Emily Loose spoke to Item 6A regarding no-dog options in the West TSA. She raised concern that Council not compromise the wildlife habitat.
2. Petrea Mah Vice President of Boulder County Audubon liked the Boy Scout trail recommendation but would like opportunities for aerobic hiking, wildlife watching etc...without being nuzzled by dogs. She urged Council to put Tenderfoot and Chapman back into consideration.
3. Tony Gannaway liked the Boy Scout trail proposal in the West TSA item but urged Council to consider the Cathedral trail as a remote loop for people seeking a more remote experience.
4. Sue DeRose pooling time with Andy Malkiel and Amy Tremper representing FIDOS supported the staff recommendation for Boy Scout trail and also supported the Cathedral loop as a no-dog area.
5. Deborah Flick with FIDOS but speaking on her own behalf supported the Boy Scout choice for a no dog trail. She urged Council to keep Chapman and Tenderfoot as voice and sight control areas.
6. Stephen Keenan indicated he would like to run for City Council to educate himself on the energy issue.
7. Ann Piletic urged Council to vote for the right of the average citizen to take their dog for a walk when they want to on the trails as this was what her tax dollars pay for.
8. Rob Smoke spoke to municipalization referencing Dwell Magazine for information on alternative energy options. He urged Council to promote conservation and decreasing consumption.
9. Rachel Pryor spoke to the medical marijuana issue and urged Council to develop a panel of doctors and patients both for and against marijuana to oversee the licensing and code enforcement. There was still a lot missing.
10. Matt Eldred, Executive Director for the Acorn School, urged Council's approval of the Wilderness Place EET proposal.

11. Gregory Malanowski spoke to the proposal to close Flagstaff road trail to dogs in the winter time. He indicated this was the only safe place to walk his dog at his age (76). Please don't close this road for dog owners.
12. Andrea Malanowski, a local doctor who supported recreation, urged Council not to close Flagstaff trail for dogs in the winter.
13. Aldona Siczek also asked Council not to close the Flagstaff road to dogs in the winter. Her cell phone worked on that road and she felt safer in that particular area.
14. Amy Haywood who teaches music at the Acorn school spoke in support of the Wilderness Place EET proposal.

City Manager Response: - 5:38 p.m.

None.

City Attorney Response:

None.

City Council Response:

None.

3. **CONSENT AGENDA: - 5:39 p.m.**

City Clerk Lewis indicated that replacement pages were provided for items 3F (green handout) and 3H (pink handout).

- A. **CONSIDERATION OF A MOTION TO APPROVE THE JULY 19, 2011 CITY COUNCIL MEETING MINUTES.**
- B. **CONSIDERATION OF A MOTION TO ACCEPT THE SUMMARY OF THE JUNE 16, 2011 CITY COUNCIL STUDY SESSION REGARDING THE 2011 WORK PLAN.**
- C. **CONSIDERATION OF A MOTION TO ACCEPT THE SUMMARY OF THE JULY 26, 2011 STUDY SESSION SUMMARY ON BOULDER'S ENERGY FUTURE.**
- D. **CONSIDERATION OF A MOTION TO ASSIGN THE CITY OF BOULDER'S 2011 PRIVATE ACTIVITY BOND ALLOCATION TO BOULDER HOUSING PARTNERS AND TO DELEGATE THE CITY OF BOULDER'S 2009 PRIVATE ACTIVITY BOND ALLOCATION TO BOULDER HOUSING PARTNERS.**
- E. **CONSIDERATION OF A MOTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BRUNGARD AVIATION FOR A 20-YEAR LEASE OF PARCEL 10 AT BOULDER MUNICIPAL AIRPORT.**

Council Member Becker raised several questions about this item. Airport Manager Timothy Head provided a handout with answers to those questions. He clarified that none of the leases were triple net. Council Member Becker also raised concern that the lease period extended beyond the period of the

Airport Master Plan. She expressed a larger concern about standards and best practices for city leases in general and suggested this could be discussed at a future retreat. Council Member Ageton agreed the issue could use further discussion and a broader look. Council Member Appelbaum raised concern about the interim lease holder getting the same deal as the original owner. Executive Director of Public Works Maureen Rait indicated staff would work on scheduling a conversation about the issues raised.

**F. CONSIDERATION OF A MOTION TO APPROVE AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF BOULDER AND THE BOULDER COUNTY CLERK AND RECORDER FOR THE CONDUCT AND ADMINISTRATION OF THE NOVEMBER 1, 2011 GENERAL COORDINATED MUNICIPAL ELECTION.**

**G. THIRD READING AND CONSIDERATION OF ORDINANCE NO. 7798 SUBMITTING TO THE VOTERS AT THE ELECTION ON NOVEMBER 1, 2011, A BALLOT ISSUE THAT WOULD: WITHOUT RAISING TAXES, INCREASE THE DEBT OF THE CITY UP TO 49 MILLION DOLLARS FOR CAPITAL IMPROVEMENT BONDS TO FUND CAPITAL IMPROVEMENT PROJECTS THAT MAY INCLUDE, WITHOUT LIMITATION:**

- REPAIRING AND MAINTAINING STREETS AND PATHWAYS;
- REPAIRING AND REPLACING STRUCTURALLY DEFICIENT BRIDGES AND STRUCTURES;
- COMPLETING MISSING LINKS IN THE TRANSPORTATION SYSTEM;
- REPAIRING AND RENOVATING AGING CITY FACILITIES;
- REPLACING AND MODERNIZING CORE SERVICE COMPUTER SOFTWARE;
- MODERNIZING BASIC POLICE AND FIRE SAFETY FACILITIES AND EQUIPMENT;
- RENOVATING AND REPAIRING PARKS AND RECREATION FACILITIES;
- RENOVATING PORTIONS OF THE MAIN LIBRARY;
- IMPROVING CONNECTIONS AND STREETSCAPES DOWNTOWN, AND SETTING FORTH RELATED DETAILS.

**H. THIRD READING AND CONSIDERATION OF A MOTION TO ADOPT A CHARTER AMENDMENT ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF BOULDER, COLORADO, AT THE GENERAL MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 1, 2011, ORDINANCE NO. 7802 REVISING THE CHARTER PROCEDURE FOR INITIATIVES.**

**I. INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY AN ORDINANCE AMENDING TITLE 11, "UTILITIES AND AIRPORT" B.R.C. 1981 RELATED TO SECTION 11-1-15, "OUT-OF-CITY WATER SERVICE," B.R.C. 1981 AND SECTION 11-2-10, "OUT-OF-CITY SEWER SERVICE," B.R.C. 1981.**

Council Member Ageton moved, seconded by Morzel to approve the Consent agenda incorporating the handouts provided on items 3F and 3H. The motion carried unanimously 9:0 at 5:55 p.m.

4. **CALL- UP CHECK IN: - 5:55 p.m.**

No interest was expressed.

**ORDER OF BUSINESS**

5. **PUBLIC HEARINGS: - 5:56 p.m.**

A. **MATTERS RELATED TO THE CREATION OF A MUNICIPAL LIGHT AND POWER UTILITY:**

1. **SECOND READING, AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE No. 7808 SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY NOVEMBER 1, 2011, THE QUESTION OF AUTHORIZING THE CITY COUNCIL TO EXTEND AND INCREASE THE UTILITY OCCUPATION TAX THAT WAS APPROVED BY THE VOTERS IN NOVEMBER 2010 AND APPROVED BY THE CITY COUNCIL IN CHAPTER 3-13, B.R.C. 1981, ON PUBLIC UTILITY COMPANIES THAT DELIVER ENERGY TO CUSTOMERS IN THE FORM OF ELECTRICITY AND GAS AT THE RATE \$1.9 MILLION DOLLARS, BEGINNING JANUARY 1, 2012 AND EXPIRING THE EARLIER OF: (1) DECEMBER 31, 2017, (2) WHEN THE CITY DECIDES NOT TO CREATE A MUNICIPAL UTILITY, OR (3) WHEN IT COMMENCES DELIVERY OF MUNICIPAL ELECTRIC UTILITY SERVICES; THE EXTENSION OF THE EXISTING TAX BEING USED TO CONTINUE TO SUPPORT LOCAL GOVERNMENT SERVICES, AND THE ANNUAL INCREASE IN THE TAX TO FUND THE COSTS OF FURTHER EXPLORATION OF AND PLANNING FOR BOTH THE CREATION OF A MUNICIPAL ELECTRIC UTILITY AND ACQUIRING AN EXISTING ELECTRIC DISTRIBUTION SYSTEM; GIVING APPROVAL FOR THE COLLECTION, RETENTION, AND EXPENDITURE OF THE FULL TAX PROCEEDS AND ANY RELATED EARNINGS NOTWITHSTANDING ANY STATE REVENUE OR EXPENDITURE LIMITATION; SETTING FORTH THE BALLOT TITLE; AND SETTING FORTH RELATED DETAILS.**
2. **THIRD READING, AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE No. 7804 SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 1, 2011, THE QUESTION OF AMENDING THE CITY CHARTER TO AUTHORIZE THE CITY COUNCIL TO CREATE A LOCAL UTILITY AND THE PRINCIPLES**

**FOR THE OPERATION OF SAID UTILITY FOR THE DISTRIBUTION OF  
ELECTRICITY; AUTHORIZING THE CITY COUNCIL TO ISSUE BONDS  
FOR THE ACQUISITION OF THE DISTRIBUTION SYSTEM AND OTHER  
ASSETS NECESSARY FOR THE OPERATION OF THE LOCAL UTILITY;  
AND SETTING FORTH RELATED DETAILS; AND**

City Attorney Tom Carr indicated staff was proposing that Council adopt on final reading the language approved at the August 2, 2011 Council Meeting. Staff did not agree with newest changes provided in the latest memo but wanted Council to have the opportunity to review them.

Deputy City Attorney David Gehr reviewed the changes proposed for final adoption as outlined on page 3 of the agenda memo which included moving forward the municipalization measure and the utility occupation tax increase and extension. He reiterated that some new changes were provided in the agenda memo that were not recommended by staff. He clarified that if any changes were made by Council, the item would require passage by emergency.

The public hearing opened at 6:05 p.m.:

1. Karey Christ-Janer pooling time with Elisabeth Christ-Janer and Thomas Garry raised numerous concerns related to municipalization including natural gas use and how price parity can be maintained over time. She felt the effort was rushed and continued to support a hybrid or localized model.
2. Elizabeth Allen raised concern about the financial aspects of municipalization but urged Council to move forward.
3. Cathy Comstock urged Council to move forward with municipalization. It was time to ask voters to play their part.
4. Micah Parkin with 350.org and a supporter of RenewablesYES expressed that reducing carbon emissions was the best way to reach our environmental goals.
5. Ruth Blackmore representing PLAN Boulder supported the Utility Occupation Tax and supported the item moving forward to the voters.
6. Amy Haywood raised concern that the City reap the profits off energy in the community so that money can go back into renewables.

There being no further speakers the public hearing was closed at 6:19 p.m.

Council Member Morzel moved, seconded by Gray to:

1) Adopt Ordinance No. 7808 submitting to the registered electors of the city of Boulder at the Municipal Coordinated Election to be held on Tuesday November 1, 2011, the question of authorizing the city council to extend and increase the Utility Occupation Tax that was approved by the voters in November 2010 and approved by the city council in Chapter 3-13, B.R.C. 1981, on public utility companies that deliver energy to customers in the form of electricity and gas at the rate \$1.9 million dollars, beginning January 1, 2012 and expiring the earlier of: (1) December 31, 2017, (2) when the city decides not to create a municipal utility, or (3) when it commences delivery of municipal electric utility services; the extension of the existing tax being used to continue to support local government services, and the



annual increase in the tax to fund the costs of further exploration of and planning for both the creation of a municipal electric utility and acquiring an existing electric distribution system; giving approval for the collection, retention, and expenditure of the full tax proceeds and any related earnings notwithstanding any state revenue or expenditure limitation; setting forth the ballot title; and setting forth related details.

2) Adopt Ordinance No. 7804 submitting to the registered electors of the City of Boulder at the municipal coordinated election to be held on Tuesday, November 1, 2011, the question of amending the city Charter to authorize the City Council to create a local utility and the principles for the operation of said utility for the distribution of electricity; authorizing the City Council to issue bonds for the acquisition of the distribution system and other assets necessary for the operation of the local utility; and setting forth related details.

Council Member Gray asked City Attorney Carr to explain one more time the make-up of the board that was included in what was being passed. Deputy City Attorney David Gehr indicated that it was a 9 member board, all appointed for 5 year terms by the City Council, a majority of which would be City of Boulder residents. Other provisions were included that would allow for local employers to be on the board.

Council Member Becker offered a friendly amendment to amend a sentence on page 13 of the memo in Section 178 (a), Ordinance No. 7804, so that it would read "The city council shall establish a light and power utility only if it can demonstrate, *"with verification by a third party independent expert"* that the utility can acquire the electrical distribution system in Boulder.... She felt this would provide additional assurance to the public. The friendly amendment was accepted by the maker and seconder of the motion.

Vote was taken on the motion and it carried unanimously 9:0 at 6:47 p.m.

Council Member Becker moved, seconded by Morzel to accept the emergency language on page 6 of the agenda memo which stated:

The City Council declares this ordinance to be an emergency measure. This ordinance is necessary for the preservation of the public peace, health, or property. The urgency for passing this measure is to incorporate amendments to an ordinance setting a ballot title for the November 1, 2011 election. The August 16, 2011 meeting is the last regular business meeting at which ballot matters may be considered and amended. Therefore, the council orders that this ordinance be effective immediately upon its passage. The motion carried unanimously; 9:0.

Council Discussion on the above motions:

Council Member Cowles raised concern about the use of the word "auditor" which was a retrospective look. His further concern was that Council not get too far ahead of its residents on the municipalization issue.

Deputy Mayor Wilson commented that the current language did not preclude an independent third party type audit but he could support the amendment. He hoped a future council would know to perform an audit and spoke to Winter Park's rate issue caused by underestimating operations costs.

Council Member Becker responded to Council Member Cowles' comments acknowledging that hearing the presentations from outside consultants provided further assurance for her and she thought this would provide further assurance to others as well.

Council Member Gray clarified that the whole ordinance would require passage by emergency if Council Member Becker's change was to be adopted (2/3 vote of Council required).

Mayor Osborne commented that outside consultants had been looking at different models that had been past practice. She did not support adding new language and was comfortable with the items as they currently were.

City Attorney Tom Carr indicated that the Charter defined auditor as a person who council appointed annually to review accounts of the city. He recommended using the word "expert" or another term in lieu of auditor.

Council Member Appelbaum indicated he would be supportive of incorporating the language suggested by Council Member Becker but felt comfortable with the items moving forward either way.

Council Member Karakehian indicated he would support the change as it strengthened the ballot measure. He reminded Council this would be the biggest financial decision in the history of Boulder and suggested that as many looks as can be taken would be appropriate.

Council Member Morzel was supportive of the change and accepted it as a friendly amendment.

Council Member Cowles expressed that changing the word "auditor" to "expert" made him more comfortable with the amendment.

Council Member Karakehian raised concern about the phrase or definition of the word "independent."

6:54 p.m.

City Attorney Tom Carr spoke to the issue of ballot measure order and provided Council Members with a handout of the proposed ballot order which complied with State guidelines.

Council Member Cowles asked whether there was any prohibition on putting other ballot measures in all capital letters. City Clerk Lewis indicated that there was no prohibition but it did take up more space on the ballot. Kathy Haddock indicated all caps was more difficult for voters to read. He then asked about the number of digits in the numbers. City Clerk Lewis indicated that Municipal items began with the number "2" followed by letters.

**B. SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7807 SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE GENERAL MUNICIPAL COORDINATED ELECTION TO BE**

**HELD ON NOVEMBER 1, 2011, THE QUESTION OF RECOMMENDING AN  
AMENDMENT TO THE UNITED STATES CONSTITUTION. - 6:59 P.M.**

A blue handout was provided to Council Members that corrected several typos.

The public hearing was opened at 7:01 p.m.

1. Joseph Illingworth thanked Council for their time reviewing the issue and urged Council to pass the item on to the voters.
2. Cosima Krueger-Cunningham saw this as a first step and urged Council to move this forward to voters.
3. Nancy Sullo shared concern about corporate personhood that undermined democracy and urged Council to move this forward to voters.
4. Tom Moore urged Council to place this item on the November ballot.
5. LeRoy Moore also supported moving this item to the November ballot
6. John Russell spoke in support of putting this item before the voters this November.
7. Elizabeth Allen cited several valid reasons for placing the item on the ballot.
8. Cara McMillan expressed that Boulder had the chance to lead on a national issue. Move this forward to the ballot.
9. Cathy Comstock expressed that this is the chance to save participatory democracy; please move it forward to the ballot.
10. Ron Forthofer read an article he wrote in 1999 about corporate power and its impact on Americans' health.
11. Ruth Blackmore on behalf of PLAN Boulder urged Council to move this item forward to the ballot and help protect local and national elections.
12. Dick Williams provided history dating back to the 1800's and urged Council to put this item on the ballot.
13. Dave Georgis on behalf of Everybody Eats also spoke to how corporate power is impacting Americans' food supply and supported the ballot measure.
14. Dia Moore commented that corporations lack love and commitment to the whole and urged Council to support this measure.
15. Barry Woleman commented that the Supreme Court decision on corporate personhood left him feeling hopeless and helpless. This would be historic and he thanked Council for giving him so hope.
16. Marta Turnball spoke on behalf of the Boulder County Peace group and expressed concern about global military and arms expenses. She urged Council to move this item forward to the ballot.
17. Relora Joyce commented that the Supreme Court gave its voice in the Citizens United decision and the citizens had not yet had a chance to have their voices heard.
18. George Newell a local veteran compared corporate personhood to bribery and urged Council to put this on the ballot.
19. Lorraine Kirk also spoke to blatant bribery at the State and National level and urged Council to move this forward to a vote.
20. Tom Mayer cited several reasons why corporate personhood was a local issue: it controlled media, swayed environmental regulations, influenced employment and hurt local business etc... He supported the item.
21. Susan Hall who doesn't live in Boulder spoke to both the pros and cons of



- corporations although they shouldn't be equal in power. She supported the agenda item.
22. Isabelle Andre expressed that putting citizens before corporate power was common sense and would give Boulder high visibility on issues of real human rights and fairness.
  23. Alan Rosenfeld with the Boulder County Dems Grassroots Action Team but speaking on his own behalf, supported the measure. The most important result beyond the actual ballot language was to send a strong message to the Congress.
  24. Mark Switzer spoke to citizens feeling less and less represented by their Federal government and the need for municipalities to get involved in larger national issues.
  25. James Duncan appreciated the benefits of corporations but expressed that they have dismantled the democratic state.
  26. Shannon Fritts-Penniman fully supported all the previous speakers.
  27. David Furtney strongly supported the ballot measure.
  28. Susan Furtney agreed with all the previous speakers and supported the measure.
  29. Alex Budd with Boulder Earth Guardians read a statement in support of abolishing corporate personhood.
  30. Ashwin Waran on behalf of Boulder County Move to Amend supported the measure.
  31. Micah Parkin with 350.org also supported the ballot measure moving forward.
  32. Bruce Robinson quoted Abraham Lincoln on corporate personhood and supported the ballot measure.
  33. Laura Spicer reminded Council that many non-profit corporations supported this measure and urged Council to place the measure on the ballot.
  34. Greg Hill supported the measure and also strongly supported open legislation as he's seen in Boulder's Council meetings.
  35. Tyler Clements expressed pride in his City for moving this measure forward.

There being no further speakers the public hearing was closed at 8:05 p.m.

Several Council Members expressed concern about the language in the Ordinance citing that it did not fairly treat non-profit corporations.

Council Member Cowles moved, seconded by Gray to adopt Emergency Ordinance No. 7807 submitting to be held on November 1, 2011, the question of recommending an amendment to the United States Constitution as provided in the blue handout with emergency language. The motion carried 6:3; Ageton, Becker and Karakehian opposed. 8:37 p.m.

## **6. MATTERS FROM THE CITY MANAGER:**

### **A. CONSIDERATION OF A MOTION TO APPROVE STAFF RECOMMENDATIONS FOR ADDITIONAL NO-DOG OPPORTUNITIES IN THE WEST TRAIL STUDY AREA. – 8:37 P.M.**

Steve Armstead from Open Space and Mountain Parks provided the presentation on the item noting that Anemone trail options would be coming forward the following month. This matter was intended to provide additional no-dog trail options in the West TSA area. Staff conducted outreach to the community for input and overall 18 recommendations were considered and

compared to Council's attributes/previous direction to staff. The staff and Open Space Board recommendation was to include the Boy Scout Trail year round and the Flagstaff Summit Road during the winter closure as no-dog trail options.

Council asked several questions related to Flagstaff trail and staff clarified that many trails would require a significant amount of hiking to find a no-dog area in the winter season.

Council Member Cowles moved, seconded by Morzel to accept for inclusion in the West TSA Plan the Boy Scout Trail year round and the Flagstaff Summit Road during the winter closure as no dog trails.

**B. UPDATE AND REQUEST FOR COUNCIL DIRECTION ON PROPOSAL TO USE THE CITY'S REMAINING EDUCATIONAL EXCISE TAX FUNDS FOR THE "WILDERNESS PLACE PROJECT," A CENTER TO PROVIDE COMPREHENSIVE SERVICES RELATED TO EARLY CHILDHOOD. – 9:00 P.M.**

City Manager Brautigam provided a brief introduction to the item. The School Issues Committee was scheduled to meet and discuss the item on August 29. If the item were to move forward tonight, it would be scheduled before Council for a discussion and decision on October 4.

Council Member Becker raised concern about the financial feasibility of the project and the partners' long-term commitment.

Council Member Karakehian, a School Issues Committee member, agreed with Council Member Becker's concerns and suggested perhaps city ownership of the property may be a good alternative to help ensure success.

Council Member Ageton suggested a balance sheet from Acorn showing what the partners have committed and she shared concerns about the projects viability. She also asked what other projects there might be that Council should consider before spending the final EET dollars.

There was a nod of five from Council to move forward with an analysis of the proposal.

**7. MATTERS FROM THE CITY ATTORNEY: - 9:15 p.m.**

Tom Carr briefly spoke to the Fair Campaign Practices Act restrictions. He reminded Council Members that they are restricted from using government resources to advocate for issues or candidates. City Clerk Lewis clarified that candidates and issue committees could place literature in the Municipal building lobby but it must be removed by 5 p.m. the Friday before the election. Mayor Osborne raised that CAC discussed a new procedure related to Council Correspondence and clarified that staff would be responding to e-mails but Council Members could still respond and should cc: staff. City Manager Brautigam indicated that staff would not engage in any kind of debate in local forums on the energy issue but would be available to provide factual information.

**8. MATTERS FROM MAYOR AND MEMBERS OF COUNCIL:**

**A. POTENTIAL CALL-UPS:**

1. **LANDMARK ALTERATION CERTIFICATE TO CONSTRUCT A 42" HIGH, SIMULATED WROUGHT-IRON FENCE IN THE FRONT YARD OF THE CONTRIBUTING PROPERTY AT 1001 SPRUCE STREET IN THE MAPLETON HILL HISTORIC DISTRICT, PER SECTION 9-11-18 OF THE BOULDER REVISED CODE. (HIS2011-00109. INFORMATION PACKET DATE: AUGUST 11, 2011. LAST OPPORTUNITY FOR CALL-UP IS AUGUST 16, 2011. UNANIMOUSLY DENIED BY THE LANDMARKS BOARD 5-0.**

No action was taken on this item.

**OTHER MATTERS:**

Council Member Becker indicated she may be submitting a request for a leave of absence given the upcoming birth of another child.

9. **PUBLIC COMMENT ON MATTERS: - 9:35 p.m.**

1. Susan Douglass spoke to the West TSA item and urged Council to determine what areas in the West TSA needed the most protection from the stressors of visitors and advocated for option 15 with minor modifications.

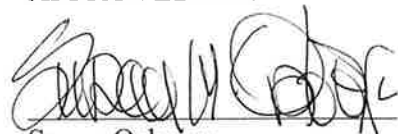
10. **FINAL DECISIONS ON MATTERS: - 9:36 p.m.**

Vote was taken on the motion to accept for inclusion in the West TSA Plan the Boy Scout Trail year round and the Flagstaff Summit Road during the winter closure as no dog trails. The motion carried 9:0 at 9:00 p.m.


11. **ADJOURNMENT**

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 9:38 P.M.

APPROVED BY:

  
Susan Osborne,  
Mayor

ATTEST:

  
Alisa D. Lewis,  
City Clerk